

a bill to locate permanently, the county seat of Newton county, and also to a bill making appropriation for the per diem pay and mileage of the members, and the per diem pay of the officers of the sixth Legislature, and that the House had passed the following bills originating in the Senate:

A bill supplemental to and amendatory of an act to amend an act supplemental to an act to establish the Galveston, Houston, and Henderson Rail Road Company, approved January 10, 1854, and approved January 23, 1856.

And a bill to incorporate the Austin city bridge company,

And a bill to incorporate Payne Female Institute, with amendments, and

A bill to provide for the investment of the Special School Fund in the bonds of Rail Road Companies, incorporated by the State, with amendments.

On motion of Mr. Palmer,

A bill to provide for the investment of the Special School Fund, in the bonds of Rail Road Companies, incorporated by the State with amendments, was taken up and made the special order for to-morrow morning at 9 o'clock.

Mr. Palmer moved to reconsider the vote, rejecting the amendments to the river bill.

On motion of Mr. Taylor of Houston, the Senate adjourned until 8 o'clock to-morrow morning.

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WEDNESDAY, July 23d, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Hill presented the petition of Wm. E. Howeth, referred to the committee on Private Land Claims No. 2.

Mr. Potter, chairman of the Judiciary committee, made the following reports:

The Judiciary committee have considered a bill to incorporate the Chappell Hill Male and Female Institute, approved February 9th, 1852, and find that the only object of the bill is to change the name of the corporation and make it an institution for the education of females. The committee see no objection to the proposed change, and therefore direct me to return the bill to the Senate and recommend its passage.

The Judiciary committee have considered a bill amending an act to change the sixth and ninth Judicial District of the

State of Texas, and to define the time of holding courts therein, and direct me to return the same and recommend its passage.

Mr. Flanagan, from the Judiciary committee, made the following report :

The Judiciary committee have had before them a bill to prevent the killing of hogs in certain cases, and conclude that such a bill would have a good tendency in preventing a policy that now prevails in many portions of the State—that is, going into the woods or range, and hunting up what is termed wild hogs. Frequently, by mistake or otherwise, killing the neighbor's hogs. Indeed, there are instances when the wrong hogs are killed, not very innocently. This bill requires that the party going into the woods to kill his or their hogs, shall take with him two witnesses, by whom he or they can prove the property by mark, &c. The committee have instructed me to report a substitute for the bill and recommend its adoption and the passage of the bill.

On motion of Mr. Russell, the rule was suspended, and the report and bill made the special order for Friday, the 25th inst., at 10 o'clock.

Mr. Hill, from the committee on Private Land Claims No. 1, made the following report :

The committee on Private Land Claims, No. 1, have considered the petition of J. C. Miller, asking for land as the headright of his father Christopher Miller, and the committee are of opinion that said Christopher was entitled to a headright of 1280 acres, and they have instructed me to report the accompanying bill for the relief of the heirs of said Christopher Miller, and recommend its passage.

A bill for the relief of the heirs of Christopher Miller—read 1st time.

Mr. Hill, chairman of the committee on Claims and Accounts, made the following reports :

The committee on Claims and Accounts have considered the petition of James H. Brown, asking pay for services as a Ranger in the years 1840 and 1842, and find the evidence insufficient to authorize the Legislature to grant the desired relief, and have instructed me to return the petition to the Senate and recommend that it be laid on the table.

The committee on Claims and Accounts, have considered the petition of B. W. Gillock, and instruct me to report that

there is neither law nor precedent to justify the legislature in granting the relief sought by the petitioner.

It appears that the petitioner was employed by the Sheriff of Calhoun county to go to Indianola to identify a man supposed to have committed a murder in Bexar county, and that he faithfully performed the services, for which he is entitled to the thanks of the law-abiding citizens of the county, but certainly none could be expected to pay therefor, except the party requesting the services. I am therefore instructed to return the petition to the Senate and recommend its rejection.

The committee on Claims and Accounts, have considered a bill for the relief of Jesse White, and find that in April, 1836, Lieutenant McLaughlin, who was authorized by President Burnett to press horses for the use of the army of Texas, did take from Mr. White a Stallion, worth to the government, the price of an ordinary saddle horse, and they have instructed me to fill the blank in the bill with one hundred and fifty dollars, and recommend the passage of the same.

Mr. Scott, chairman of the committee on Public Lands, made the following reports :

The committee on Public Lands to which was referred a bill to legalize a certain Colony certificate, have considered the same, and have instructed me to report the same back and recommend its passage.

The committee on Public Lands, to which was referred the petition of John Graves, praying the cancellation of two leagues and labors, orders of survey, granted by George W. Smyth, and the issuing of two certificates for the same amount of land by the Commissioner of the General Land Office, have considered the same. The committee find no evidence accompanying the papers to show that these claims for land were recommended by the traveling board, nor is there any testimony to show that the original grantees were resident citizens of the Republic of Texas, at the date of the declaration of Independence, and I am instructed by the committee, in view of the above facts, to report the same back to the Senate and recommend that it be laid upon the table.

A message was received from the House, informing the Senate that the House had passed "A bill to incorporate Luther Rice Baptist Institute, "and also the Senate's bill to ascertain legal claims for money and lands, against the State, with amendments, and the House bill making appropriations

to the Governor of the State of Georgia for arms lost by the Georgia battallion at the massacre of Goliad.

On motion of Mr. Hill, the rule was suspended, and the House bill to consolidate the Texas Monumental committee, and the Texas Military Institute, with Ruterville College, taken up, and read 1st time, rule further suspended and bill read 2d time.

Mr. Hill offered the following as an amendment to come in at the end of the 3d section :

"Provided, that each one of those who have subscribed for the erection of the Texas Monument, shall have the right to direct where the sum subscribed by him shall be expended in constructing a tomb, mansoleum or monument."

On motion of Mr. Caldwell, the bill and amendment were referred to the committee on Education.

On motion of Mr. Burroughs, the rule was suspended, and the report of the committee on Private Land Claims No. 2, on the petition of Almanson Houston and John G. Love, was taken up, and the petition with other evidence, referred to the committee on Private Land Claims No. 1.

Mr. Martin introduced a bill requiring all Sheriffs to make publication of the sale of property sold by them under execution—read 1st and 2d times, and referred to the committee on the Judiciary.

Mr. Potter introduced a bill to create the office of weigher of cotton at Indianola and Galveston—read 1st and 2d times and referred to the committee on the Judiciary.

Mr. McDade introduced a bill to amend an act entitled an act to incorporate the Brazos Branch Railroad company—read 1st and 2nd times and referred to the committee on Internal Improvements.

On motion of Mr. Palmer, the rule was suspended, and the report of the committee on Claims and Accounts, on a bill for the relief of the heirs of Harvey Whiting, offering a substitute for the bill, was taken up, and bill laid on the table.

Substitute adopted.

On motion of Mr. Caldwell, the vote referring the House bill to consolidate the Texas Monumental committee and Military Institute with Ruterville College, was reconsidered, and the amendment offered by Mr. Hill adopted, and bill passed to a 3d reading.

On motion of Mr. Hill, the rule was suspended, bill read 3d time and passed by the following vote :

YEAS—Messrs. Allen, Bryan, Burroughs, Flanagan, Grimes, Guinn, Hill, Hord, Lott, McCulloch, McDade, Martin, Maverick, Palmer, Pedigo, Pirkey, Potter, Russell, Scarborough, Scott, Taylor of Houston, Truit, Whitaker and White—24.

NAYS—Messrs. Armstrong, Caldwell, Millican, Taylor of Fannin and Weatherford—5.

On motion of Mr. Taylor of Cass, A bill to ascertain legal claims for money and land, against the State, passed by the Senate, and passed by the House with amendments, was taken up, read, and the 1st amendment concurred in by the following vote :

YEAS—Messrs. Armstrong, Bryan, Burroughs, Guinn, Hill, Hord, Lott, McCulloch, McDade, Martin, Maverick, Palmer, Pedigo, Potter, Scarborough, Taylor of Cass and White—17.

NAYS—Messrs. Allen, Caldwell, Flanagan, Grimes, Millican, Pirkey, Russell, Scott, Taylor of Fannin, Taylor of Houston, Truit, Weatherford and Whitaker—13.

The other amendments were then concurred in.

On motion of Mr. Flanagan, a bill for the relief of the heirs of Harvey Whiting, was taken from the table, read and ordered to be engrossed.

On motion of Mr. Palmer, the rule was suspended, the bill read 3d time and passed.

On motion of Mr. Hill, a bill for the relief of the heirs of J. A. E. Phelps, dec'd., was taken up—read 2d time and rejected by the following vote :

YEAS—Messrs. Bryan, Hord, McCulloch, McDade, Maverick and Potter—6.

NAYS—Messrs. Allen, Armstrong, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Lott, Martin, Millican, Russell, Scott, Taylor of Fannin, Taylor of Houston, Truit, Weatherford and Whitaker—18.

Mr. Weatherford presented the petition of 454 of the citizens of Tarrant county—referred to the committee on Elections.

Mr. White introduced a bill supplemental to an act entitled an act to change the time of holding Courts in the 10th and 14th Judicial Districts—read 1st time.

On motion of Mr. White, the rule was suspended, bill read 2d time and ordered to be engrossed.

On motion of Mr. Flanagan, the rule was further suspended, bill read 3d time and passed.

## ORDERS OF THE DAY.

The motion of Mr. Palmer, to reconsider the vote rejecting the 3rd, 4th, and 5th amendments, made by the House, to the Senate's bill to encourage the improvement of the navigation of the rivers and other navigable waters of Texas, by making appropriations for the same, being under consideration on yesterday, when the Senate adjourned, was taken up, and carried, and the amendments of the House were then concurred in by the following vote:

YEAS—Messrs. Armstrong, Bryan, Burroughs, Caldwell, Flanagan, Hill, Hord, Lott, McCulloch, McDade, Maverick, Palmer, Pedigo, Pirkey, Potter, Scott, Taylor of Cass, Taylor of Houston, Truit, Whitaker and White—22.

NAYS—Messrs. Allen, Grimes, Guinn, Millican, Russell, Taylor of Fannin and Weatherford—7.

On motion of Mr. Hord, the report of the Select Committee on a bill to relinquish the right of the State to certain lands therein named, was taken from the table, and made the Special order for Friday next, the 25th inst, at 10 o'clock.

Mr. Allen, chairman of the committee on Enrolled Bills, reported the following bills correctly Enrolled, properly signed, and this day presented to the Governor.

A bill supplementary to, and amendatory of, an act to amend an act supplementary to an act to establish the Galveston, Houston and Henderson Railroad company, approved January 10th, 1854, and approved January 23rd, 1856.

A bill to provide for the investment of the Special School Fund in the bonds of Railroad companies incorporated by the State, with amendments from the House, made the Special order for to-day, was taken up, the Senate refused to concur in the substitute offered by the House for the 4th section of the bill, by the following vote :

YEAS—Messrs. Allen, Burroughs, Caldwell, Grimes, Martin, Pirkey, Potter, Russell, Taylor of Fannin and Weatherford—10.

NAYS—Messrs. Armstrong, Bryan, Flanagan, Guinn, Hill, Lott, McDade, Maverick, Millican, Palmer, Scarborough, Scott, Taylor of Cass, Taylor of Houston, Truit, Whitaker and White—17.

On motion of Mr. Martin, the Senate adjourned till to-morrow morning, 8 o'clock.